

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**No. CR 05 1849 JH**

**DANA JARVIS,**

**Defendant.**

**UNOPPOSED MOTION TO DISMISS DEFENDANT JARVIS' SECOND  
MOTION TO ENFORCE THE PLEA AGREEMENT [DOC. 1705],  
CONSISTENT WITH THIS COURT'S ORDER AT DOC 1732**

COMES NOW Defendant Dana Jarvis, by and through his Counsel of Record Jody Neal-Post, and hereby requests this Court dismiss his Second Motion to Enforce the Plea Agreement [Doc. 1705] with prejudice, as the conditions precedent in this Court's Order at Doc. 1732 have been met.

Specifically, Mr. Jarvis submits that the state foreclosure proceeding initiated by Wells Fargo Bank was dismissed with prejudice on March 2, 2010. *See Exhibit*, attached.

Counsel for Mr. Jarvis contacted SAUSA Braun, AUSA Kotz and Wells Fargo Bank, Renae Richards-Charney, via email on March 9, 2010, and requested whether they wished to view this Motion pre-filing, and no one has responded. Therefore, this Motion is understood to be unopposed.

**WHEREFORE**, Defendant Dana Jarvis respectfully requests that his Second Motion to Enforce the Plea Agreement at Doc. 1705 be dismissed with prejudice.

Respectfully submitted,

By: *Electronically filed 3/11/2010*  
Jody Neal-Post, Esq.  
137 Amherst SE  
Albuquerque, New Mexico 87106  
Ph: (505) 268.7263 Fax: 255.2782  
jodynealpost@gmail.com  
*Forfeiture Counsel for Defendant Dana Jarvis*

I hereby certify that a true and correct copy of the foregoing was served via cm/ecf on all counsel of record March 11, 2007.

*Electronically filed 3/11/10*

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Jody Neal-Post